

and in fact, it did not so consist but did consist in whole or in part of ground coriander seed of inferior quality.

On October 2, 1924, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

HOWARD M. GORE, *Secretary of Agriculture*.

**12707. Misbranding of pears. U. S. v. White Bros. & Crum Co., a Corporation. Plea of guilty. Fine, \$25.** (F. & D. No. 17417. I. S. No. 7656-v.)

On November 16, 1923, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against White Bros. & Crum Co., trading at Spokane, Wash., alleging shipment by said company, in violation of the food and drugs act as amended, on or about September 19, 1922, from the State of Washington into the State of Colorado, of a quantity of pears which were misbranded. The article was labeled in part: (Box) "Blue Jay Pears White Bros. & Crum Co. Yakima, W."

Misbranding of the article was alleged in the information for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 30, 1924, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

HOWARD M. GORE, *Secretary of Agriculture*.

**12708. Misbranding of compound oil. U. S. v. 96 Cans of Oil. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 17107. I. S. No. 1536-v. S. No. E-4258.)

On January 9, 1923, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 96 cans of oil, remaining in the original unbroken packages at Pawtucket, R. I., alleging that the article had been shipped by the Armenian Importing Co., from New York, N. Y., on or about October 14, 1922, and transported from the State of New York into the State of Rhode Island, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can) "Superior Quality Oil Greek Patriot Brand Winter Pressed Cotton Salad Oil Flavored with High Grade Olive Oil A Compound Net Contents 1 Gall."

Misbranding of the article was alleged in the libel for the reason that the cans bore statements, to wit, "Superior Quality Oil," "Greek Patriot Brand," "Flavored with High Grade Olive Oil," "A Compound Net Contents 1 Gall.," together with a design showing a Greek soldier, which were false and misleading and deceived and misled the purchaser, in that the product contained no flavor of olive oil, and purported to be a foreign product when not so, and in that the cans contained less than 1 gallon. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 11, 1924, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HOWARD M. GORE, *Secretary of Agriculture*.

**12709. Adulteration and misbranding of oysters. U. S. v. Harry M. Woodburn (H. M. Woodburn). Plea of guilty. Fine, \$10 and costs.** (F. & D. No. 18742. I. S. Nos. 15164-v, 15165-v, 15166-v.)

On July 11, 1924, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Harry M. Woodburn, trading as H. M. Woodburn, Solomons, Md., alleging shipment by said defendant, in violation of the food and drugs act as amended, in two consignments, namely, on or about February 5 and 7, 1924, respectively, from the State of Maryland into the District of Columbia, of quantities of oysters which were adulterated and misbranded. The article was labeled in part: (Can) "Minimum Volume 1 Gallon."

Examination of the article by the Bureau of Chemistry of this department showed that it contained added water and that the quantity of the contents of the cans was less than 1 gallon.

Adulteration of the article was alleged in the information for the reason that water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted in part for the said article.

Misbranding was alleged for the reason that the statement, to wit, "Minimum Volume 1 Gallon," borne on the cans containing the article, was false and misleading in that the said statement represented that each of the cans contained 1 gallon of oysters, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said cans contained 1 gallon of oysters, whereas each of said cans did not contain 1 gallon of oysters but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 18, 1924, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

HOWARD M. GORE, *Secretary of Agriculture.*

**12710. Adulteration of canned oysters. U. S. v. 471 Cases of Canned Oysters. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17191. I. S. No. 8115-v. S. No. W-1291.)**

On January 22, 1923, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 471 cases of canned oysters, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Booth Packing Co., from Baltimore, Md., on or about January 9, 1923, and transported from the State of Maryland into the State of California, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that water or brine had been mixed and packed with and substituted wholly or in part for the said article.

On January 31, 1923, the Booth Packing Co., Baltimore, Md., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$3,626.70, in conformity with section 10 of the act, conditioned in part that the product be made to comply with the act under the supervision of this department.

HOWARD M. GORE, *Secretary of Agriculture.*

**12711. Adulteration and misbranding of canned oysters. U. S. v. 220 Cases, et al., of Canned Oysters. Consent decrees of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. Nos. 18619, 18620, 18621, 18622, 18637, 18652. I. S. Nos. 6350-v, 18803-v, 18804-v. S. Nos. C-4341, C-4365, C-4373.)**

On April 23, May 3, and May 6, 1924, respectively, the United States attorney for the Eastern District of Missouri, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 359 cases of canned oysters, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Marine Products Co., Biloxi, Miss., on or about March 3, 1924, and transported from the State of Mississippi into the State of Missouri, and charging adulteration and misbranding in violation of the food and drugs act as amended. One lot was labeled in part: (Can) "Lopez's Cove Oysters Biloxi Chief Brand Oysters Net Contents 5 Ounces Oyster Meat Packed By Lopez Packing Co., Biloxi, Miss." A second lot was labeled in part: (Case "Lopez Packing Co. Biloxi Miss."; (can) "Selected Oysters Contents 6 Ozs. Avoirdupois Oyster Meat." A third lot was labeled in part: (Can) "Lopez's Cove Oysters Net Contents 6 Ounces Oyster Meat Tika Brand \* \* \* Packed By Lopez Packing Co. Biloxi, Miss. and Buras La."

Adulteration of the article was alleged in the libels for the reason that water or brine had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength and had been substituted in part for the said article.